

REMARKS

This paper is in response to the Office action mailed October 28, 2008. A petition for one month extension of time, to and including December 28, 2008, is submitted herewith, together with an authorization to charge the requisite fees to a credit card. In the event any additional fees are necessary in connection with the present Response, kindly charge the cost thereof to our Deposit Account No. 13-2855.

The Applicants respectfully traverse the restriction requirement. The Office action mailed October 28, 2008 included a requirement to restrict the invention under 35 U.S.C. § 121 to one of the inventions as identified in Groups I – XI on pages 2-3 of the Office action. Inasmuch as the present application is a U.S. national stage application filed under 35 U.S.C. § 371, it is respectfully submitted that, pursuant to 37 C.F.R. 1.475, the international “lack of unity” standard is the appropriate standard to apply to a determination of whether a restriction requirement is appropriate. It is therefore respectfully submitted that the restriction requirement is improper.

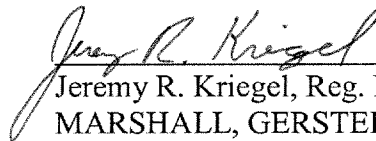
Notwithstanding the foregoing, and in an effort to provide a complete reply to the requirement, the Applicants hereby elect, with traverse, Group I. Claims 21, 22, 40, 43, 44, 45, 47, 48, 49, 51 and 52 read on the elected invention. In the event the restriction requirement is maintained, the claims reading only on the non-elected groups may be considered withdrawn. However, the Applicants reserve the right to re-introduce those claims in the present application in the event the restriction requirement is ultimately withdrawn.

CONCLUSION

As indicated above, the Applicants elect, with traverse, the invention of Group I. The Examiner's reconsideration of the restriction requirement, and consideration of the claims on their merits, is respectfully solicited.

Date: December 15, 2008

Respectfully submitted,



Jeremy R. Kriegel, Reg. No. 39,257
MARSHALL, GERSTEIN & BORUN LLP
233 South Wacker Drive, 6300 Sears Tower
Chicago, Illinois 60606
Tel. (312) 474-6300
Fax (312) 474-0448

Attorney for Applicants